

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Toll Free Assignment Modernization)	WC Docket No. 17-192
)	
Toll Free Service Access Codes)	CC Docket No. 95-155

**REPLY COMMENTS OF THE ALLIANCE FOR
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) 800 Service Management System (SMS/800) Number Administration Committee (SNAC)¹ respectfully submits these reply comments in response to the Federal Communications Commission’s (Commission) *Notice of Proposed Rulemaking (NPRM)*, released September 28, 2017, in the above-referenced dockets.

In its comments to the *NPRM*, ATIS SNAC noted that it is opposed to auctions given the success of the existing toll-free allocation methodology and the significant unknown impacts that auctions may have on the toll-free industry and toll-free subscribers.² One of these impacts would be increased costs. In its comments, Verizon notes that auctions may impose significant costs on RespOrgs that wish to participate in auctions on behalf of their customers.³ Updates to IT systems, including systems used to control the use and assignment of toll-free numbers,

¹ These reply comments reflect the consensus of SNAC members, which includes service providers, RespOrgs, and other key stakeholders. Somos, Inc., a SNAC member, participated in the discussions surrounding the *NPRM* but did not provide input regarding these reply comments. ATIS SNAC’s advocacy on this issue does not necessarily represent the views of Somos, Inc.

² ATIS Comments at pp.2-5.

³ Comments of Verizon at p. 2.

training and maintenance would be necessary to accommodate auctions and would cost RespOrgs hundreds of thousands to millions of dollars.⁴

ATIS SNAC does not believe that these increased costs are justified given the success of the current toll-free number assignment methodology. Centurylink shares ATIS' view regarding the effectiveness of the existing toll-free methodology, noting that the existing methodology has allowed resources to be allocated in a timely and efficient manner.⁵ ATIS supports Centurylink's position that the Commission should move forward with auctions only if there are significant allocation problems that would be solved by the introduction of auctions and only if the benefits of these auctions would outweigh their harms.⁶ ATIS agrees with Centurylink that neither of these statements is true for toll-free auctions.

ATIS continues to believe that the existing toll-free allocation methodology is effective to fairly address mutually exclusive applications for new code releases. As noted in its April 2015 *Petition Requesting Bureau Action to Revise Toll Free Code Opening Methodology*, ATIS SNAC recommends that the Commission limit each "RespOrg Group" to reserving 100 toll-free numbers per day in a newly-opened code for each of the first 20 days beginning with the code opening date.⁷ ATIS believes that this would result in an outcome which is orderly, fair, nondiscriminatory, and much less costly and complex for the industry than auctions.

In the *NPRM*, the Commission seeks comment on whether certain toll free numbers used to promote, health, safety and other public interest goals should be set aside for use, without cost, by governmental agencies or non-profit organizations.⁸ While ATIS supports efforts to foster

⁴ Comments of Verizon at p. 3.

⁵ Comments of Centurylink at p. 2.

⁶ Comments of Centurylink at p. 3.

⁷ See [Petition requesting Bureau Action to Revise Toll Free Code Opening Methodology](#) (April 5, 2016).

⁸ *NPRM* at ¶39.

public interest goals, it is concerned about how the proposed set-aside could be practically implemented. For instance, there may be challenges in identifying which entities and/or numbers would be entitled to the set aside. The concerns raised by the Association of Toll Free Professionals regarding new non-profit organizations that may be set up to secure toll free numbers is also a valid concern with this new set aside.⁹ ATIS notes that there have been only a handful of such situations in the past and these have been effectively handled by the Commission on a case by case basis. ATIS believes that the existing ad-hoc processes for assigning these numbers can continue to effectively address these important public service interests. Should the set-aside nonetheless be implemented, ATIS SNAC stands ready to assist the Commission with setting standards for addressing issues as they arise, including the modification of the industry numbering guidelines.

In its comments, ATIS noted that importance of maintaining the Commission’s warehousing and hoarding rules, noting that some of the challenges associated with the existing assignment mechanism could be eliminated by enforcement of existing rules.¹⁰ ATIS continues to believe that enforcement of existing rules, rather than the introduction of auctions or additional industry fees, should be the Commission’s primary focus. ATIS notes that there are widespread practices that continue to impact the exhaust rate, including warehousing, hoarding, “typo-squatters”, diverting calls to adult chat lines or surveys, etc.

ATIS disagrees with those commenters who recommend increasing toll free number fees to discourage warehousing/hoarding.¹¹ ATIS strongly believes that this proposed solution is

⁹ Comments of Association of Toll Free Professionals at pp. 9-10.

¹⁰ ATIS Comments at p. 7.

¹¹ For instance, the Interisle Consulting Group, in its comments, suggested that assessing a fixed monthly fee from all toll free subscribers would discourage hoarding and warehousing. Comments of Interisle Consulting Group at p. 2.

overbroad and unnecessarily burdensome. This proposal would also disrupt the existing toll-free marketplace by drastically increasing the costs for RespOrgs, and ultimately, their customers.

In the *NPRM*, the Commission asks about ways to notify potential subscribers about auctions and encourage their participation through their RespOrgs, such as by including subscriber information in the Toll Free Numbering Administrator (TFNA) database.¹² ATIS SNAC opposes including subscriber information in the TFNA database for several reasons. First, because ATIS is opposed to the introduction of toll-free auctions, ATIS believes that this proposed method for encouraging auction participation is unnecessary. Second, ATIS is strongly concerned with the privacy implications of this proposal to customers, RespOrgs and carriers. Toll-free subscribers have the right to maintain anonymity and Rep Orgs and carriers have the right to the privacy of their customer lists, which are considered proprietary information.¹³

II. CONCLUSION

ATIS SNAC respectfully requests that the Commission consider its reply comments to the *NPRM* regarding toll free number assignments.

Respectfully submitted,



Thomas Goode
ATIS General Counsel

December 12, 2017

¹² *NPRM* at ¶22.

¹³ The Association of Toll Free Professionals, in its comments, correctly notes this proposal would result in carriers being forced to share their customer information with their competitors. Comments of Association of Toll Free Professionals at p. 8.